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"A certain number of texts from classic writers inserted in the Digest seem suspected of alteration, and it used to be a very debated question among Romanists of knowing if, etc." There are others of similar character that could be materially improved by the file. A bibliography of works on modern Roman law appended to the ends of chapters or inserted at the end of the volume would add to the usefulness of the book.

J. H. D.

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THE ELEMENTS OF JURISPRUDENCE. By Thomas Erskine Holland, K. C. Tenth Edition. Oxford University Press, 1906, pp. xxv, 443.

The tenth edition of HOLLAND'S JURISPRUDENCE will be welcomed by all teachers and students of the subject. The book in former editions has proved to be one of the best of its kind for classroom use in our law schools, where there is any attempt to teach jurisprudence as a science. Whatever may be said about the philosophic correctness of the standpoint of the English school of scientific jurisprudence, the ideas of the school certainly admit of clearness of presentation, and as an English jurist so aptly says in his discussion of the methods of jurisprudence, the legal profession probably has more to hope from the jurist with philosophical tendencies than from the philosopher with juristic interests.

This last revision has been carefully made. The significance of the thirteen pages of new matter added does not appear until a comparison of the last two editions shows that this small increase in bulk represents the results of a most painstaking working over of the whole book. Perhaps no more striking proof of this is needed than to cite the fact that frequently an old plate has been discarded or broken up and made over again, in order to bring on to the same line syllables of a word that had been divided in the old plate, or to respace a line more artistically. The few misprints of the older editions have been corrected and the new has been read with great care. The reviewer has noticed but one misprint in the newly set up matter, in the word *afficiantur*, p. 341, l. 11.

There is an abundant reference in the new notes to recent legislation, court decision and juridical commentary; e. g., citations from the Japanese Civil Code, from recent decisions in Scotch and Roman Dutch law and of the Hague Tribunal, from Bryce's Essays in History and Jurisprudence, etc. In the body of the text due account is taken of the new principles of law that have been developed by English and American courts since the publication of the last edition. The paragraph and notes referring to the case of *Allen v. Flood*, have been rewritten (p. 180 10th ed.) with citation of the later cases, *Quinn v. Leathem* [1901] A. C. 495; *Glamorganshire Coal Co. v. S. Wales Miners' Federation* [1903] 2 K. B. 545, and others, by which the decision in *Allen v. Flood* has been largely explained away. The addition to the note on the right of privacy (p. 183 n. 3) refers to the recent New York cases bearing on the subject, but was probably written too early to take cognizance of the very interesting Georgia case, *Pavesich v. New England Life Insurance Co. et al.* (1905), 50 S. E. Rep. 168, or the case of *Martin v. Nicholson Publishing Co.*, decided in the Louisiana Supreme Court, on January 2, 1906; see 40 S. Rep. 376.

The author seems more than ever convinced of the validity of his objective theory of the interpretation of contract, which he stated with some diffidence in one of the earlier editions and has repeated with increasing confidence in successive editions. The wording of the text and of the notes has been changed somewhat at this point, but only in the direction of greater lucidity of statement. It would seem that this doctrine is now a well established one.

The paragraph on "cause" in modern Roman law and its relation to English "consideration" has been rewritten (pp. 274, 275), incorporating the results of the recent conflicting decisions in the South African courts on that subject.

Chapter XVII on International Law shows perhaps the most careful work in revision, as was naturally to be expected because of the recent work of Professor Holland in this field, and the activity of the Hague Tribunal during the past few years.

J. H. D.

**FOIBLES OF THE BENCH.** By Henry S. Wilcox of the Chicago Bar. Chicago: Legal Literature Company, 1906, pp. 144.

The author hastens to say in his preface that the reader must not "suppose that this volume is intended by the author to 'get even' with the judiciary or to exhibit his personal scars or grievances." He asserts that his endeavor is, by pointing out the weaknesses of the judiciary, to show how to eliminate them.

One coming upon this preface after having read the book would find his credulity somewhat taxed. Weaknesses, those who sit on the bench have, and plenty of them, but it is quite doubtful whether books like the one before us will accomplish anything by way of decreasing them.

From a literary point of view little can be said for the book. No attempt at dignified criticism is made, and satire to be effective must be keen-edged and have something of polish. We find it here a stuffed club. In discussing "JUDGE KNOWALL" we find him using such elegant rhetoric as: "When he wishes to know anything he goes to sleep and dreams it, or has a fit and it comes to him." "JUDGE WABBLER" is described in part in this choice bit: "He was built on the principle of the curve. He was fat, bowlegged, round-headed, had puffed cheeks, could not walk straight, sit straight or do anything in a direct way. His bones and muscles were small. It seemed as if his digestive organs were in doubt whether they should use nourishment for bones or muscles, and being unable to decide had deposited great round lumps of fat on every portion of his body."

Again: "Many are the methods adopted by judges to put themselves on exhibition. A common one is to assume an oppressive and unnatural dignity. The king claims to be God's anointed and the holy oil drizzles from his head down to his Justices and falls until it reaches the justice of the peace. Every fellow touched by the sacred substance gets a petrified backbone and begins to talk out of his intestines." The author promises us sequels to this in books in a similar strain on the "Foibles of the Bar," the "Frailties of the Jury," the "Fallacies of the Law," etc.

If the book before us is any index of the character of those promised it would be no unpardonable sin to break the promise.

V. H. L.